

SENATE BILL 730
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 16 and Title 55, Chapter 8, relative to traffic offense quotas.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 16, Part 5, is amended by adding the following new section:

Section 39-16-516.

(a) A political subdivision or any agency of this state may not establish or maintain, formally or informally, a plan to evaluate, promote, compensate, or discipline:

(1) A peace officer according to the officer's issuance of a predetermined or specified number of any type or combination of types of traffic citations; or

(2) A general sessions judge or judge of a municipal court according to the amount of money the judge collects from persons convicted of a traffic offense.

(b) A political subdivision or any agency of this state may not require or suggest to a peace officer, judge of a general sessions court or a municipal court that:

(1) The peace officer is required or expected to issue a predetermined or specified number of any type or combination of types of traffic citations within a specified period; or

(2) The judge is required or expected to collect a predetermined amount of money from persons convicted of a traffic offense within a specified period.

(c) Subsection (a) does not prohibit a municipality from considering the source and amount of money collected from a municipal court when evaluating the performance of a judge employed by the municipality.

(d) This section does not prohibit a municipality from obtaining budgetary information from a municipal court, including an estimate of the amount of money the court anticipates will be collected in a budget year.

(e) A violation of this section by an elected official is misconduct in office under § 8-47-101 and Article VI, Section 6 of the Constitution of Tennessee, and a ground for removal from office. A violation of this section by a person who is not an elected official is a ground for disciplinary action, including, removal from the person's position.

(f) In this section:

(1) "Conviction" means the rendition of an order by a court imposing a punishment of incarceration or a fine.

(2) "Traffic offense" means an offense under title 55.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.